

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

SIGHT SCIENCES, INC.,

Plaintiff,

v.

IVANTIS, INC., ALCON RESEARCH, LLC,

ALCON VISION, LLC AND ALCON INC.,

Defendants.

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C. A. No.: 21-1317-JLH-SRF

JURY TRIAL DEMANDED

VERDICT FORM

Instructions: When answering the following questions and completing this Verdict Form, please follow the directions provided and follow the Jury Instructions that you have been given. Your answer to each question must be unanimous. Some of the questions contain legal terms that are defined and explained in the Jury Instructions. Please refer to the Jury Instructions if you are unsure about the meaning or usage of any legal term that appears in the questions below.

As used herein:

1. "Sight Sciences" refers to Plaintiff Sight Sciences, Inc.;
2. Ivantis and Alcon refers to Defendants Ivantis, Inc., Alcon Research, LLC, Alcon Vision, LLC, and Alcon Inc.

QUESTION 1:

Did Sight Sciences prove by a preponderance of the evidence that Ivantis and Alcon directly infringed any of the following Asserted Claims?

“Yes” is a finding for **Sight Sciences**.

“No” is a finding for **Ivantis and Alcon**.

CLAIM	YES	NO
'482 claim 11	<input checked="" type="checkbox"/>	
'443 claim 8	<input checked="" type="checkbox"/>	
'443 claim 24	<input checked="" type="checkbox"/>	
'443 claim 58	<input checked="" type="checkbox"/>	

QUESTION 2:

Did Sight Sciences prove by a preponderance of the evidence that Ivantis and Alcon induced infringement of any of the following Asserted Claims?

“Yes” is a finding for **Sight Sciences**.

“No” is a finding for **Ivantis and Alcon**.

CLAIM	YES	NO
'328 claim 18	X	

QUESTION 3:

Did Ivantis and Alcon prove by clear and convincing evidence that any of the following Asserted Claims are invalid as anticipated by prior art?

“Yes” is a finding for **Ivantis and Alcon**.

“No” is a finding for **Sight Sciences**.

CLAIM	YES	NO
'443 claim 8		<input checked="" type="checkbox"/>

QUESTION 4:

Did Ivantis and Alcon prove by clear and convincing evidence that any of the following Asserted Claims are invalid as obvious in view of the prior art?

“Yes” is a finding for **Ivantis and Alcon**.

“No” is a finding for **Sight Sciences**.

CLAIM	YES	NO
'482 claim 11		✓
'443 claim 8		✓
'443 claim 24		✓
'443 claim 58		✓
'328 claim 18		✓

QUESTION 5:

Did Ivantis and Alcon prove by clear and convincing evidence that any of the following Asserted Claims are invalid for lack of enablement?

“Yes” is a finding for **Ivantis and Alcon**.

“No” is a finding for **Sight Sciences**.

CLAIM	YES	NO
'482 claim 11		<input checked="" type="checkbox"/>
'443 claim 8		<input checked="" type="checkbox"/>
'443 claim 24		<input checked="" type="checkbox"/>
'443 claim 58		<input checked="" type="checkbox"/>

QUESTION 6:

Did Ivantis and Alcon prove by clear and convincing evidence that any of the following Asserted Claims are invalid for lack of adequate written description?

“Yes” is a finding for **Ivantis and Alcon**.

“No” is a finding for **Sight Sciences**.

CLAIM	YES	NO
'482 claim 11		✓
'443 claim 8		✓
'443 claim 24		✓
'443 claim 58		✓

If you:

A. Answered “Yes” for **any** of the claims in Questions 1 or 2,

AND

B. Answered “No” for any of those **same claims** in Questions 3, 4, 5, and 6,

THEN answer Questions 7, 8, and 9.

Otherwise, do not answer Questions 7, 8, and 9, and instead please proceed to the final page of this Verdict Form and sign and date that page.

QUESTION 7:

What amount of damages has Sight Sciences proven, by a preponderance of the evidence, that it is entitled to for lost profits, if any, as a result of Ivantis and Alcon's infringement of the Asserted Patents between the launch of the Accused Product in August 2018 and the present?

Lost Profit Damages: \$ 5.5M

QUESTION 8:

For any sales that were not factored into an award of lost profits for Question 7, what amount of damages has Sight Sciences proven, by a preponderance of the evidence, that it is entitled to as a reasonable royalty for Ivantis and Alcon's infringement of the Asserted Patents between the launch of the Accused Product in August 2018 and the present?

Reasonable Royalty Damages: \$ 28.5M

QUESTION 9:

Did Sight Sciences prove by a preponderance of the evidence that Ivantis and Alcon's infringement of any of the claims of the Asserted Patents was willful?

"Yes" is a finding for **Sight Sciences**.

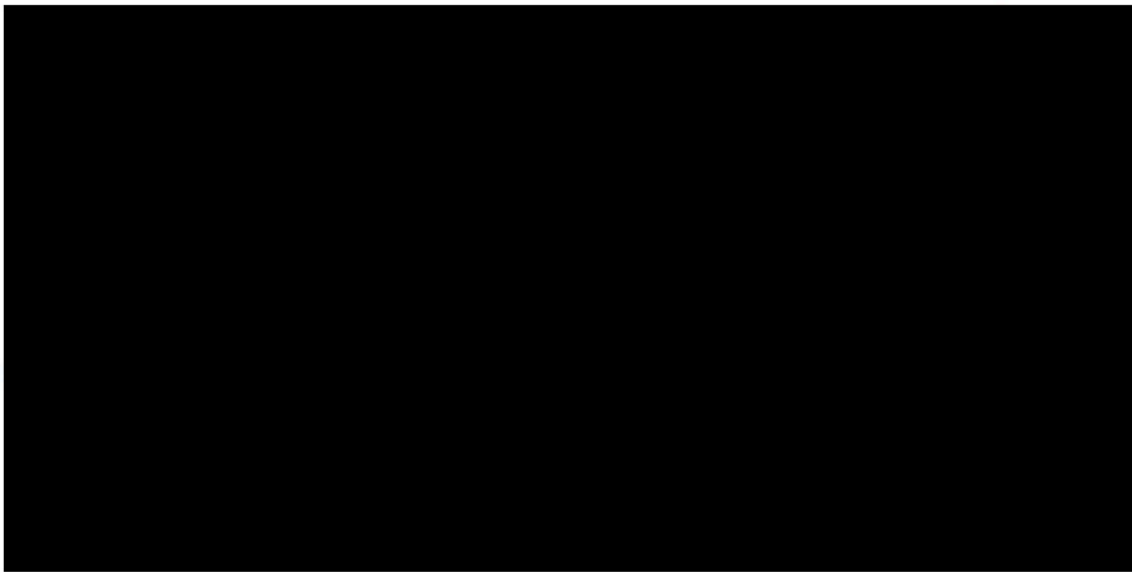
"No" is a finding for **Ivantis and Alcon**.

Yes: ✓

No: _____

You have now reached the end of the Verdict Form and should review it to ensure it accurately reflects your unanimous determinations. Each juror should then sign the verdict form in the spaces below. The foreperson should date the form and notify the Court Security Officer that you have reached a unanimous verdict.

The foreperson should retain possession of the Verdict Form and bring it when the jury is brought back into the courtroom.



Dated: 4/26/24